

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

TRUE CAPITAL MANAGEMENT, LLC,
and TAMARA JARIC,

Plaintiffs,

v.

UNITED STATES DEPARTMENT OF
HOMELAND SECURITY, and UNITED
STATES CITIZENSHIP AND
IMMIGRATION SERVICES,

Defendants.

Case No.: C13-0261 JSC

**ORDER REQUESTING
SUPPLEMENTAL BRIEFING FROM
DEFENDANTS**

Plaintiffs True Capital Management (“True Capital”) and Tamara Jaric filed this action seeking declaratory relief and an order compelling Defendants United States Department of Homeland Security (“DHS”) and United States Citizenship and Immigration Services (“USCIS”) to approve the H-1B visa petition submitted by True Capital on behalf of Tamara Jaric. Now pending before the Court is Defendants’ Motion to Dismiss for Lack of Subject Matter Jurisdiction. (Dkt. No. 13.)

Defendants did not file a reply to Plaintiffs’ opposition brief which raised numerous issues with Defendants’ contention that the Court lacks subject matter jurisdiction.

1 Defendants also failed to appear at the scheduled hearing on May 16, 2013. Defendants have
2 since responded to the Court's Order to Show Cause regarding their non-appearance asserting
3 that it was the result of a scheduling error. At the hearing, Plaintiffs were given leave to file a
4 supplemental brief in support of their argument that the Agency's reopening of Plaintiffs' visa
5 petition was solely for the purpose of delaying these judicial proceedings. Plaintiffs filed
6 their supplemental brief on May 23, 2013.

7 Defendants shall file a response brief of no more than 15 pages on or before June 6,
8 2013. Upon receipt of Defendants' brief the matter will be deemed submitted and the Court
9 will notify the parties if a further hearing is required.

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11 **IT IS SO ORDERED.**

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13 Dated: May 24, 2013

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15 JACQUELINE SCOTT CORLEY
16 UNITED STATES MAGISTRATE JUDGE
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